

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

RANDY WOOD,

Plaintiff,

v.

CIVIL ACTION NO. 2:16-6502

NANCY A. BERRYHILL,<sup>1</sup>  
Acting Commissioner of the  
Social Security Administration,

Defendant.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court deny Claimant's request for summary judgment (ECF No. 25), grant Defendant's request to affirm the decision of the Commissioner (ECF No. 26), affirm the final decision of the Commissioner, and dismiss this matter from this Court's docket. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **DENIES** Claimant's request for summary judgment (ECF No. 25), **GRANTS** Defendant's request to affirm the decision of the Commissioner (ECF No. 26),

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<sup>1</sup>At the time this civil action was filed, Carolyn W. Colvin was serving as the Acting Commissioner of Social Security.

**AFFIRMS** the final decision of the Commissioner, and **DISMISSES** this matter from this Court's docket, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented parties.

ENTER: August 22, 2017

  
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ROBERT C. CHAMBERS, CHIEF JUDGE